

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Charles Christopher Pope,

vs.

Michael J. Astrue, Commissioner of
Social Security Administration,

Defendant.

) Civil Action No.: 5:11-762-RBH-KDW

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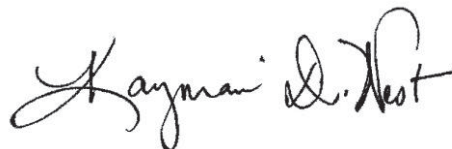
ORDER

On March 29, 2011, Plaintiff, appearing through counsel, filed this action appealing his denial of Social Security benefits. Defendant filed an answer and copy of the administrative record on December 6, 2011. ECF Nos. 13, 14. Plaintiff's brief in support of his appeal was due by January 9, 2011. *See* Local Rule 83.VII.04 (D.S.C.); *see also* ECF No. 13. Plaintiff did not file a brief.

By order of this court filed January 23, 2012, Plaintiff was given until February 6, 2012, to file his brief if he wished to continue his appeal. ECF No. 20. Plaintiff was advised that if he failed to comply with this deadline, that the undersigned may recommend that this matter be dismissed with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

Based on the foregoing, it appears the plaintiff no longer wishes to pursue this action. Accordingly, it is recommended that this action be dismissed *with prejudice* pursuant to Federal Rule of Civil Procedure 41(b).

IT IS SO RECOMMENDED.

A handwritten signature in black ink, reading "Kaymani D. West". The signature is fluid and cursive, with the first name "Kaymani" being more prominent and the last name "West" following in a similar style.

February 27, 2012
Florence, South Carolina

Kaymani D. West
United States Magistrate Judge

**The parties are directed to note the important information in the attached
“Notice of Right to File Objections to Report and Recommendation.”**